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July 3, 2024

VIA ECF

The Honorable Leda D. Wettre, U.S.M.J.
 United States District Court
 Martin Luther King, Jr. Federal Building
 50 Walnut Street, Room 2060
 Newark, New Jersey 07102

Re: *Axsome Therapeutics, Inc., et al. v. Teva Pharmaceuticals, Inc.*
 Civil Action Nos. 23-1695 (MEF)(LDW) (consolidated)

Dear Judge Wettre:

This firm, together with Quinn Emanuel Urquhart & Sullivan LLP, represents Plaintiffs Axsome Therapeutics, Inc. and Antecip Bioventures II LLC (together, “Plaintiffs”) in the above-captioned matter. We write on behalf of Plaintiffs and Defendant Teva Pharmaceuticals, Inc. (“Teva” and, together with Plaintiffs, “the parties”) to jointly request a brief, one-week extension of the claim construction deadlines in the Court’s Order Consolidating Cases (ECF No. 52). The parties’ proposed extension is as follows:

Event	Original Deadline	Revised Deadline
Meet-and-Confer under L. Pat R. 4.1(b)	n/a	July 10, 2024 (or an agreed-upon date by the parties)
Preliminary proposed constructions and identification of intrinsic evidence under L. Pat. R. 4.2(a)-(b)	July 11, 2024	July 18, 2024
Joint exchange of all intrinsic and extrinsic evidence under L. Pat. R. 4.2(c)	July 26, 2024	August 2, 2024
Meet-and-Confer under L. Pat. R. 4.2(d)	n/a	August 8, 2024 (or an agreed-upon date by the parties)
Joint Claim Construction and Prehearing Statement under L. Pat. R. 4.3(a)-(e)	August 14, 2024	August 21, 2024
Close of Fact Discovery for Claim Construction	August 29, 2024	September 5, 2024
Opening Claim Construction Briefs	September 20, 2024	September 27, 2024
Close of Expert Discovery for Claim Construction	October 18, 2024	October 25, 2024

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Event	Original Deadline	Revised Deadline
Responsive Claim Construction Briefs	November 15, 2024	November 22, 2024
Proposed schedule for <i>Markman</i> hearing due to Court	December 6, 2024 ¹	December 6, 2024 (unchanged)
Close of Fact Discovery	February 7, 2025	February 7, 2025 (unchanged)

As indicated in the above table, the parties' proposed extension would not affect the remaining case deadlines—namely, the proposed *Markman* hearing schedule on December 6, 2024 and the close of fact discovery on February 7, 2025. The brief, one-week extension will allow the parties to complete the claim construction exchanges in an orderly fashion.

Should the proposed extension meet with the Court's approval, the parties respectfully request that Your Honor "So-Order" this letter and direct its entry on the docket.

Thank you for Your Honor's kind attention to this matter.

Respectfully yours,



Charles M. Lizza

cc: All counsel of record (via email)

SO ORDERED:

This ____ day of _____, 2024

THE HON. LENA D. WETTRE
UNITED STATES MAGISTRATE JUDGE

¹ In the Court's Order Consolidating Cases (ECF No. 52), the date for the parties to propose a schedule for *Markman* hearing to the Court contained a typographical error, which has been corrected in the table above. It has been corrected from December 6, 202~~5~~ to December 6, 202~~4~~.